

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEVON MD LLC : CIVIL ACTION
v. :
STEVEN F. DEMAIO, *et al.* : NO. 19-5378

ORDER

AND NOW, this 19th day of December 2019, upon considering Defendants' Motion to dismiss (ECF Doc. No. 4), Plaintiff's Response (ECF Doc. No. 7), Defendants' Reply (ECF Doc. No. 8), and for reasons in the accompanying Memorandum, it is **ORDERED** Defendants' Motion to dismiss (ECF Doc. No. 4) is **GRANTED in part** and **DENIED in part**:

1. We **grant** the Motion as to our inability to exercise personal jurisdiction over Alledran Medical LLC and failure to plead fraud with specificity with leave to file an amended complaint on or before **January 21, 2020** including pleading a basis for our exercise of personal jurisdiction over Alledran Medical LLC;
2. We **deny** the Motion as to our ability to exercise specific personal jurisdiction over Messrs. DeMaio and Nardella on the plead tort claims, as to service, and, as to sufficiently pleading the diversion and interference claims; and,
3. Absent a timely filed amended complaint, Messrs. DeMaio and Nardella shall answer the complaint (ECF Doc. No. 1) on or before **January 27, 2020**.



KEARNEY, J.